

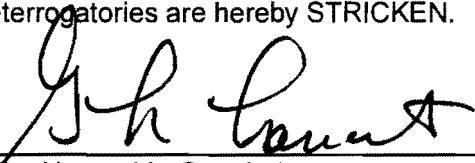
IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

OPERATING ENGINEERS LOCAL 66, AFL-CIO)
AND CONSTRUCTION INDUSTRY COMBINED) Civil Action No. 09-724
FUNDS, INC., et al.,)
Plaintiff,) Judge Gary L. Lancaster
v.)
BABCOCK EXCAVATING, INC.,)
Defendant,)
v.)
DE FINIS MECHANICAL CONTRACTORS, LLC)
and FIRST NATIONAL BANK,)
Garnishees.)

ORDER OF COURT

AND NOW, this 6th day of Aug, 2010, upon

consideration of Plaintiff Operating Engineers Local 66, AFL-CIO and Construction Industry Combined Funds, Inc.'s Motion to Strike Part of Garnishee First National Bank of Pennsylvania's Supplemental Answer to Interrogatories, as well as any responses thereto, it is hereby ORDERED, ADJUDGED and DECREED that Defendant Babcock Excavating, Inc.'s "Payroll Account" at First National Bank is subject to the Plaintiff's garnishment action. The words "and therefore is not subject to this garnishment action" from Garnishee First National Bank's Supplemental Answer to the Funds' Interrogatories are hereby STRICKEN.



The Honorable Gary L. Lancaster
United States District Court Judge